

of the public safety and welfare including reexamination as to the driver's qualifications. The license may be limited to the operation of particular vehicles, to particular classes and times of operation and to particular conditions of traffic. The commissioner may require that an applicant for a limited license affirmatively demonstrate that use of public transportation or carpooling as an alternative to a limited license would be a significant hardship.

For purposes of this subdivision, "homemaker" refers to the person primarily performing the domestic tasks in a household of residents consisting of at least the person and the person's dependent child or other dependents.

The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under the limited license shall have the license in possession at all times when operating as a driver.

In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver and shall consider the number of miles driven by the driver annually.

Approved May 20, 1987

CHAPTER 172—H.F.No. 240

An act relating to commerce; prohibiting surcharges on credit card sales; prescribing a penalty; proposing coding for new law in Minnesota Statutes, chapter 325G.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [325G.051] SURCHARGES ON CREDIT CARDS.

Subdivision 1. LIMITATION; PROHIBITION. (a) A seller of goods or services may impose a surcharge on a purchaser who elects to use a credit card in lieu of payment by cash, check, or similar means, provided (1) the seller informs the purchaser of the surcharge both orally at the time of sale and by a sign conspicuously posted on the seller's premises, and (2) the surcharge does not exceed five percent of the purchase price.

(b) A seller of goods or services that establishes and is responsible for its own customer credit card may not impose a surcharge on a purchaser who elects to use that credit card in lieu of payment by cash, check, or similar means.

(c) For purposes of this section "surcharge" means a fee or charge imposed by a seller upon a buyer that increases the price of goods or services to the buyer because the buyer uses a credit card to purchase the goods or services. The term does not include a discount offered by a seller to a buyer who makes payment for goods or services by cash, check, or similar means not involving a credit card if the discount is offered to all prospective buyers and its availability is clearly and conspicuously disclosed to all prospective buyers.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 2. PENALTY. A seller who violates this section is subject to a civil penalty of not more than \$500 and shall refund the surcharge to each buyer.

Approved May 20, 1987

CHAPTER 173—H.F.No. 270

An act relating to adoption; providing for notice of an adopted child or genetic parent's death or terminal illness; proposing coding for new law in Minnesota Statutes, chapter 259.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [259.253] NOTIFICATION OF DEATH OR TERMINAL ILLNESS.

Subdivision 1. DEATH NOTIFICATION. (a) An agency authorized to place a child for adoption shall inform parents who adopt a child on or after August 1, 1987, that they must notify the agency if the child dies. The agency also shall inform the adoptive parents that the adoptive parents of an adopted child under age 19 or an adopted person age 19 or older may maintain a current address on file with the agency and indicate a desire to be notified if the agency receives information of the death of a genetic parent. The agency shall inform genetic parents who are entitled to notice under section 259.26 that the agency will notify them of the child's death and the cause of death, if known, provided that the genetic parents desire notice and maintain current addresses on file with the agency. The agency shall inform genetic parents entitled to notice under section 259.26 that they may designate individuals to notify the agency if a genetic parent dies and that the agency receiving information of the genetic parent's death will share it with adoptive parents, if the adopted person is under age 19, or an adopted person age 19 or older who has indicated a desire to be notified of the death of a genetic parent and who maintains a current address on file with the agency.

(b) Notice to a genetic parent that a child has died or to the adoptive parents or an adopted person age 19 or older that a genetic parent has died shall be provided by an employee of the agency through personal, confidential contact, not by mail.

(c) Adoptive parents residing in this state whose child was adopted through an agency in another state shall, if the child dies, notify the agency of the child's death.

Subd. 2. TERMINAL ILLNESS NOTIFICATION. An agency authorized to place a child for adoption shall inform the adoptive parents and genetic parents of a child who is adopted on or after August 1, 1987, that the genetic parents, the adoptive parents of an adopted person under age 19, or an adopted

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